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2004 Regular Session 4lr0027

(PRE-FILED)

By: Chairman, Judicial Proceedings Committee (By Request -

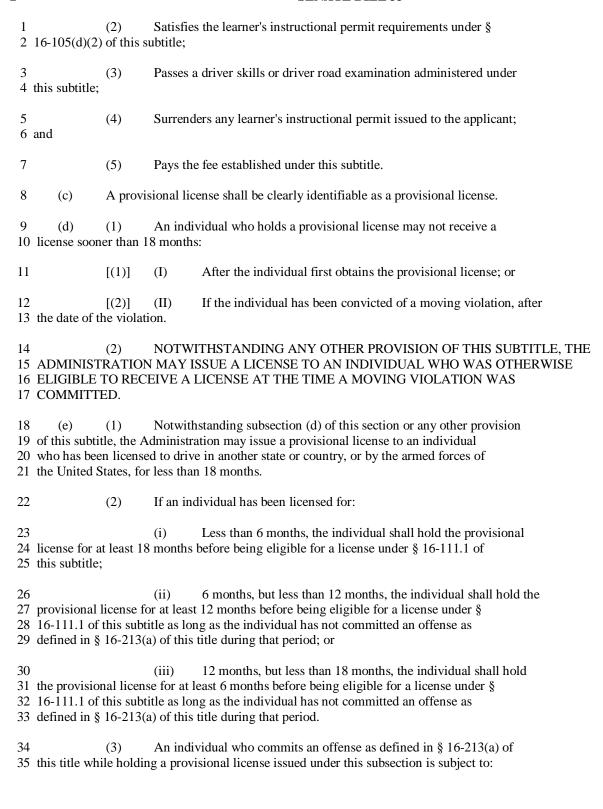
Departmental - Transportation)
Requested: November 3, 2003

Introduced and read first time: January 14, 2004

Assigned to: Judicial Proceedings

			A BILL ENTITLED	
1	AN ACT con	ncerning		
2 3	Motor Vehicle Administration - Provisional Licenses - Issuance of Drivers' Licenses and License Sanctions			
4 5 6 7 8 9	violation but was eligible to receive a driver's license at the time the violation occurred; altering a certain definition of "offense" to make certain administrative penalties inapplicable to certain holders of provisional drivers'			
10 11 12 13 14	Section 16-111 and 16-213 Annotated Code of Maryland			
15 16	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:			
17			Article - Transportation	
18	16-111.			
19	(a)	This see	ction applies to an applicant who:	
20 21	subtitle; or	(1)	Holds a learner's instructional permit under § 16-105(d) of this	
22		(2)	Qualifies for a provisional license under subsection (e) of this section.	
23	(b)	An app	licant is entitled to receive a provisional license if the applicant:	
24 25	subtitle;	(1)	Meets the minimum age required under § 16-103(c)(2) of this	

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1 2	(i) The waiting periods under subsection (d)(2) of this section before qualifying for a license under § 16-111.1 of this subtitle; and				
3	(ii) Other sanctions applicable to a holder of a provisional license under this article.				
7 8	(4) Notwithstanding § 16-103(c)(3) of this subtitle, the Administration may issue a license under § 16-111.1 of this subtitle without issuing a learner's instructional permit or a provisional license if the individual has been licensed to drive in another state or country, or by the armed forces of the United States, for at least 18 months.				
10 11	(f) A provisional license is subject to the expiration and renewal requirements of § 16-115 of this subtitle.				
12	16-213.				
13 14	(a) In this section, "offense" means a moving violation committed by an individual who:				
15	(1) Holds a provisional license under § 16-111 of this title; [and]				
16	(2) Was convicted of the violation; AND				
17 18	(3) WAS NOT ELIGIBLE FOR A LICENSE UNDER § 16-111.1 OF THIS TITLE AT THE TIME OF THE VIOLATION.				
19 20	(b) The sanctions under this section are in addition to any other penalty or sanctions that might apply as a result of a moving violation.				
21	(c) The Administration:				
22 23	(1) For a first offense, shall require the offender to attend a driver improvement program under § 16-212 of this subtitle;				
24 25	(2) For a second offense, may suspend the offender's provisional license for up to 30 days; and				
26 27	(3) For a third or subsequent offense, may suspend or revoke the offender's provisional license for up to 180 days.				
28 29	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.				